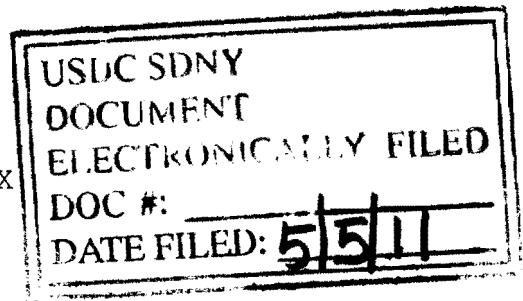


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
YVETTE GONZALES, as Administrator of
the Estate of CENIYA ESQUERETTE, and
YVETTE GONZALES, individually,

Plaintiff,

- against -

BETH ISRAEL MEDICAL CENTER, ET AL.,

Defendants.

08 Civ. 04224 (RWS)


OPINION

-----X
Sweet, D.J.

The Compromise Order, dated April 25, 2011 and docketed April 26, 2011, is hereby vacated and amended as follows: The claims against the remaining defendant, Beth Israel Medical Center, shall not be remanded to the New York Supreme Court but instead dismissed without prejudice, pursuant to 28 U.S.C. § 1367 (c) (3). The period of limitations for any claim asserted against the remaining defendant shall be tolled for a period of 30 days after the issuance of this order, unless state law provides for a longer tolling period. 28 U.S.C. § 1367 (d).

It is so ordered.

New York, NY
May 5, 2011



ROBERT W. SWEET
U.S.D.J.